IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE A.K.BASHEER

FRIDAY, THE 3RD NOVEMBER 2006 / 12TH KARTHIKA 1928

WP(C).No. 28876 of 2006(K)

PETITIONER:

METTILDA JOSEPH,
HIGHER SECONDARY SCHOOL TEACHER,
GOVERNMENT HIGHER SECONDARY SCHOOL,
NEENDOOR, KOTTAYAM DISTRICT.

BY ADV. SRI.ELVIN PETER P.J.
SRI.S.RAMESH
SRI.NAVEEN.T
SRI.C.X.ANTONY BENEDICT
SMT.POOJA SURENDRAN
SRI.PRADEEP KRISHNA

RESPONDENTS:

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1. STATE OF KERALA, REPRESENTED BY
ITS SECRETARY, HIGHER EDUCATION DEPARTMENT,
SECRETARIAT, THIRUVANANTHAPURAM.

2. THE DIRECTOR OF HIGHER SECONDARY
EDUCATION, HOUSING BOARD BUILDING,
SANTHI NAGAR, THIRUVANANTHAPURAM.

3. THE MANAGER,
ST.DOMINIC'S COLLEGE, KANJIRAPPALLY.

4. THE DEPUTY DIRECTOR OF COLLEGIATE
EDUCATION, KOTTAYAM.

BY GOVT.PLEADER SRI.A.J.VARGHESE.

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON 03/11/2006, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

A.K. Basheer, J.

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W.P(C) No.28876 of 2006

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Dated this the 3rd day of November, 2006.

J U D G M E N T

Petitioner claims that she was initially appointed as Junior Lecturer in the Department of Physics in St.Dominic's College, Kanjirappally in a leave vacancy with effect from September 5, 1996 till March 27, 1997. Thereafter she worked in another leave vacancy with effect from July 24, 1997 till November 30, 1997. Yet again she was appointed in another leave vacancy from July 13, 1998 till March 31, 2001. It is further contended by the petitioner that all the above appointments were approved under Exts.P1 to P3 orders. Further, she was paid salary upto March 31, 1999. It is the contention of the petitioner that she had discharged duties of Junior Lecturer in the college from April 1, 1999 till December 22, 2000 and therefore she ought to have been paid salary for the said period.

2. I do not propose to deal with any of the above contentions in view of the limited prayer made by the learned counsel for the petitioner at the Bar. He submits that petitioner has preferred Ext.P10 representation before respondent No.2 in this regard highlighting all the relevant aspects of the issue. The limited prayer is to issue a direction to respondent No.2 to take a decision on Ext.P10.

3. In the above facts and circumstances the writ petition is disposed of with a direction to respondent No.2 to consider and pass orders on Ext.P10 as expeditiously as possible, at any rate within

two months from the date of receipt of a copy of this judgment. Respondent No.2 shall ensure that petitioner and the Manager of the schools are afforded sufficient opportunity to be heard before any decision is taken in the matter.

Petitioner shall produce a certified copy of the judgment along with a copy of the writ petition before respondent No.2 for compliance.

A.K. Basheer

Judge.

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